



**Request for Qualifications (RFQ)
No. GS-08P-10-JB-C-0005**

**Design Build Services
For the Modernization of the
Cesar E. Chavez Memorial Office Building
Denver, Colorado**

**Phase I
Technical Submittal**



**Prepared by:
U.S. General Services Administration
Public Buildings Service
Rocky Mountain Region**

**Denver, Colorado
October 7, 2009**

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PART I - PROJECT REQUIREMENTS

1.0 Project Overview

This high performance green building project will continue the legacy of outstanding public architecture that was initiated with the founding of the nation through the preservation and modernization of a historic federal building. In accord with this tradition, the General Services Administration (GSA) Design Excellence Program commissions our nation's most talented architects, engineers, landscape architects, and interior designers to prepare our historic federal buildings for the next 50 – 100 years of service. GSA Design Excellence projects demonstrate the merit of integrated design that balances historic significance with current needs, aesthetics, cost, constructability, and reliability; create environmentally responsible and superior workplaces for civilian Federal employees; and give public expression to our democratic values.

This Request for Qualifications (RFQ) is issued by the Public Buildings Service of the United States General Services Administration (GSA), Rocky Mountain Region, hereinafter referred to as the "Government", in order to obtain the services of a Design/Build Contractor also referred to as Offeror or Contractor, who shall be singularly responsible to satisfy the terms of the resulting contract. This contract will provide design/build services for the design and construction of the modernization of the Cesar E. Chavez Memorial Office Building.

The contract will be a Firm Fixed-Price Contract as specified under FAR Subpart 16.2. The contractor for this project will be competitively chosen using Source Selection procedures in accordance with FAR Subpart 15 in conjunction with the "Best Value process." GSA will evaluate all responses using the criteria stated herein.

1.1 Organization of RFQ

This RFQ is composed of Five (5) Sections and one (1) Appendix: Section 1 includes the Project Overview and Services to be provided. Section 2 contains Qualifications Submittal Requirements. Section 3 contains the contractor past performance questionnaire forms. Section 4 contains the similar projects submittal. Section 5 contains relevant Federal Acquisition Regulations (FAR) related to the RFQ process and the American Reinvestment Recovery Act (ARRA). The Appendix contains the Standard Form 330.

1.2 Services to be Provided

The services for this project will include, but are not limited to, general construction services, preparing construction documents, and serving as the Architect/Engineer of record for the project. It will be the responsibility of the Offeror to design and construct this project under GSA's design and construction excellence guidelines and complete construction while meeting all the specified project requirements within budget.

The scope of professional services will require at a minimum: Professional architectural, engineering, landscape architectural, interior design, and related consulting services for concept design documents, design development documents, metric construction documents, specifications, cost estimates, schedules, space planning, value engineering services, U.S. Green Building Council's Leadership in Energy & Environmental Design (LEED) services, computer-aided design and drafting (CADD), and includes the construction of buildings and related systems, controlled-access parking, and site development. The project is also to include GSA design standards for secure facilities; conformance to the P-100 (Facility Standards for Public Buildings), including LEED Silver Level certification; and customer agency requirements. All design work will be required to comply with the National Environmental Policy Act. The A/E should incorporate Low Impact Development (LID) strategies. The winning firm will also be required to work with artist(s) in support of the Art-in-Architecture Program.

The construction services will require at a minimum: construction of the facilities, administration of the construction contract and all subcontracts, scope management, value engineering, coordination of regular construction meetings, CPM scheduling, maintaining of construction records, including daily logs and monthly reports, monitoring of construction costs, all services included in the contract documents, building commissioning and turnover to designated facility management staff, post-construction contract services (PCCS), abatement, demolition, warranties and guarantees and other required supplemental services as required under the contract.

The Contractor will provide professional, technical, administrative, and clerical personnel as needed to perform all required services including, but not limited to, those described in this Solicitation.

1.3 Project Summary

The purpose of this Request for Qualifications (RFQ) is to short list a maximum of five (5) firms to proceed to the Phase Two process. In the Phase Two process a Design Excellence Design Build Team (DBT) will be selected to provide all labor, materials, tools, equipment and services necessary to complete design and construction of the modernization of the Cesar E. Chavez Memorial Office Building in Denver, Colorado. **Funding for this project will come from the American Reinvestment and Recovery Act of 2009.**

The project consists of a modernization upgrade project including exterior curtain wall replacement for the Cesar E. Chavez Memorial Building and a parking garage replacement project for the adjacent parking structure. This work is performed under the direction of the U.S. General Services Administration (GSA), Rocky Mountain Region, Public Buildings Service (PBS). It is an existing multi-tenant professional office building with 10 stories. The building contains 306,250 gross square feet (GSF) including the parking structure, 179,375 rentable square feet (RSF), and 147,156 usable square feet (USF). The parking structure will

be vacated prior to demolition and the building will be fully occupied throughout the modernization project. Agencies located in the federal building are the Internal Revenue Service, Social Security Administration, Department of Agriculture, Department of Justice, Government Accounting Office, Department of Education, Federal Child Care Facility, and the General Services Administration. The building is located at 1244 Speer Blvd, Denver, Colorado, 80204. The building and parking structure are long-term GSA-held assets situated in a prime location near downtown with public transportation within the central business district.

Project goals and objectives for the federal building are to provide a pleasant, secure, and safe environment for the staff and visitors consistent with guidelines for Federal facilities and specifically the GSA PBS P-100; satisfy current and projected special-use needs, and allow for future expansion of these requirements; design facilities compatible with the tenants' existing character and local context, and present a positive image of U.S. Government facilities; use the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, which is the nationally accepted benchmark for the design, construction, and operation of high-performance green buildings.

Project goals and objectives are to improve energy efficiency of the building by replacing the exterior curtain wall system; replacing the parking structure; replacing ductwork and terminal devices; upgrading to DDC controls; replacement of ceilings; upgrading of fan coils to VAVs; new VFDs; upgrading lighting and controls; blast improvements; lobby renovation; and upgrading interior and exterior finishes.

Design Stage services and Construction Stage work are to be performed by the DB Contractor. Design Stage services include providing Design Concept and Design Development Phase services. Construction Stage work includes preparing construction documents and performing construction in conformance with the project requirements. The scope of services for the Design Stage will require at a minimum: Professional architectural, engineering, interior design, landscape architecture, and related consulting services for concept design documents, design development documents, construction documents. The scope of services for the Construction Stage will require at a minimum: preparation of construction documents, specifications, cost estimates, computer-aided design and drafting (CADD), CPM scheduling, scope management, value engineering, maintaining construction records, utilizing an electronic project management system in order to manage project documents, monitoring construction costs, commissioning, post-construction contract services (PCCS), demolition, construction, and other required supplemental services if so requested by the Government. The Design-Build contractor shall have a full understanding of the project, its contract documents, and the principles of Federal construction contracting and contract administration. Most importantly, the Design-Build contractor shall have complete responsibility for design and construction of the facility, including timely delivery within the project budget.

1.4 Summary of Acquisition Strategy

This procurement will be for Full & Open Competition. The General Services Administration intends to award a firm-fixed price Design-Build Contract based on the Federal Acquisition Regulation (FAR) Two-Phase Design-Build Selection Procedures, FAR Subpart 36.3, Source Selection Procedures, FAR subpart 15.3, in conjunction with the "Best Value" process, and the GSA Design Excellence Program. For this contract award process, GSA will issue two Solicitations in sequence: 1) Phase One, and 2) Phase Two. The Phase One procedure, which is this Request for Qualifications (RFQ), is designed to select a "short list" of the most highly qualified Offerors who will be requested to submit Phase Two proposals. All responsible sources may submit a Phase One Proposal. The number of proposals in the competitive range has been limited to a maximum of five (5), to permit an efficient competition among the most highly rated proposals. The most highly rated Offerors will be selected to participate in Phase Two (analogous to Request for Proposals (RFP)).

Interested Offerors are required to submit their responses to this RFQ by the due date established in this RFQ. The Government will evaluate all the responses to this RFQ in accordance with the criteria identified herein, specifically the technical qualifications, experience and the past performance of the design and construction teams formed by each potential offeror for this procurement, and advise each Offeror in writing whether it will be invited to participate in the Phase Two process. Offerors that do not submit a timely RFQ response in Phase One will not be allowed to participate in the remaining phase of the procurement.

In Phase Two, the Government will issue the RFP to the most highly qualified Offerors from Phase One and request that they submit Phase Two proposals. Phase Two of the solicitation shall be prepared in accordance with FAR Part 15 and include phase-two evaluation factors, developed in accordance with FAR 15.304. Phase Two of the solicitation shall require submission of technical and price proposals, which shall be evaluated separately in accordance with FAR Part 15. Phase Two proposals will be allotted five (5) weeks of preparation time with two (2) Pre-Bid meetings scheduled during Phase Two with GSA Project Managers on guided Site Walks. The Government will reserve the right to make an award upon the basis of the initial Phase One and Phase Two offers without discussions.

1.5 Source Selection Evaluation Criteria

The evaluation process will be a Design-Build Two-Phase best value source selection. The procurement for this solicitation will be conducted in two (2) phases. The following criteria represent the technical factors that will be used by GSA's Source Selection Evaluation Board in evaluating the Offeror's Phase One submission. Technical Qualifications submittals will be evaluated in Phase One to determine the short-listed offerors will submit competitive proposals for Phase Two. Information submitted by the qualified firms in Phase Two will be evaluated to determine the Contractor that offers the best value to the Government.

1.5.1 Phase One — Technical (RFQ) Submittal: The evaluation factors for the General Contractor/Design Builder, when combined, are significantly more important than those combined factors for the Lead Designer and Design Team, each.

The technical factors for Phase One are as follows:

Mandatory Requirements: The following factors will be evaluated on a “go/no-go” basis, i.e.; offerors not meeting all of the following criteria will be eliminated from further consideration. Proposal conforms to the requirements of the Request For Qualifications (RFQ), including, but not limited to:

- Proof of CCR Registration
- Proof of bonding capacity to \$30,000,000.
- A letter of bondability on your Surety’s letterhead, confirming that you have the bonding capacity necessary for this project.

Proposal must meet the minimum requirements of the RFQ, Phase One.

Proposal contains a commitment to maintain the evaluated Design and Construction Team intact through the entire design phase.

Proposal must commit that design drawings and/or construction documents will be prepared by professional architects and engineers registered in the state of Colorado. The Design Team must have demonstrable experience in designing and delivering projects similar in scope and size.

In accordance with FAR 15.305 for all factors on past performance the following applies to all instances: “In the case of an offeror without a record of relevant past performance or for whom information on past performance is not available, the offeror may not be evaluated favorably or unfavorably on past performance.”

Phase One – TECHNICAL EVALUATION FACTORS: All factors for General Contractor/Design Builder, when combined are significantly more important than the combined factors for Lead Designer and Design Team, individually.

General Contractor/Design Builder

Past Performance

Qualifications/Experience of Key Personnel

Project Experience on Similar Projects

Lead Designer

Past Performance on Design

Philosophy and Design Intent

Lead Designer Profile

Lead Designer Portfolio

Design Team

Past Performance

Qualifications/Experience of Key Personnel

Project Experience on Similar Projects

EVALUATION FACTORS – GENERAL CONTRACTOR/DESIGN BUILDER

Factor 1 - Past Performance

This factor considers the quality of the Offeror's past performance, within the last ten (10) years, in performing contracts for construction with regards to considerations as technical success and customer satisfaction. This factor also considers the quality of the offeror's performance in carrying out the work required, specifically, workforce management, and scheduling.

The offeror demonstrates itself as a construction business providing verifiable information and references for four (4) projects completed over the last ten (10) years that:

- a. Demonstrate ability to meet project budget constraints by managing cost changes and claims.
- b. Demonstrate ability to effectively coordinate trades.
- c. Demonstrate ability to complete projects within the approved schedule.
- d. Demonstrate ability to ensure high degree of trade's craftsmanship.
- e. Demonstrate success in achieving subcontractor goals.

The offeror shall provide a minimum of two (2) references for each similar project. Each contractor is responsible for providing questionnaires (provided by the Government in this RFQ) to their references to complete in a timely manner to allow a completed questionnaire to reach this office by the time and date specified for receipt of information identified in the solicitation. The offeror is responsible to ensure that contact information is current and reliable. The Government will consider information provided by reference as well as other relevant information from other sources when evaluating the Offeror's past experience. If negative information is received from sources not noted in the Offeror's proposal, the Offeror will be given an opportunity to respond.

Factor 2 - Qualifications/Experience of Key Personnel

This factor considers the experience and qualifications of the proposed key staff and how the offeror organizes and manages the project team. Project Manager's experience directing similar project work and that the key personnel and subcontractors identified have the qualifications and experience in all areas necessary to effectively perform the required work.

Each Offeror shall submit an organizational chart and resumes for each key person on the proposed Project Team as defined below:

- 1) Project Team organizational chart
 - 2) Project Manager
 - 3) Project Superintendent
 - 4) CPM Scheduler
- a. Resumes must include a description of training and experience in respective areas of expertise.
 - b. Duties of each key individual must be clearly defined.
 - c. Resumes must describe current and proposed position titles, education, professional licensing, and any personal awards.
 - d. Resumes should be no longer than two (2) pages per individual.
 - e. Past experience must be attributable to the person named on the resume. Minimum experience permitted is as follows:

	<u>Years</u>
1) Project Manager	10
2) GC Superintendent	10
3) CPM Scheduler	10

Factor 3 - Project Experience on Similar Projects

This factor considers the extent of the offeror's past experience and the quality of the offeror's past performance on projects of similar size and complexity. The Offeror shall submit information on at least three (3) projects of similar scope and complexity.

Each Offeror shall provide:

- 1) A list of three (3) similar projects completed over the last ten (10) years.
- 2) Narrative summaries of the three (3) similar projects listed, performed within the past ten (10) years, that demonstrates the offeror's capabilities, technical expertise, and experience managing complex projects with reference to considerations of timeliness and technical success. Interior and exterior photos are required for each project submitted. Limit the summaries to one (1) page each. Limit the photos to three (3) pages.

Include for each project submitted, title and location, project summary including square feet, contract award amount and final contract amount including all changes, dollar value of work self-performed and the percentage it represents of the final contract amount and project completion date.

In order to demonstrate the ability to perform a project with “similar scope and complexity to the Cesar E. Chavez Memorial Office Building Modernization project”, the three submitted projects should demonstrate, in aggregate, the following capabilities:

- Modernization of a multi-story, multi-tenant, occupied professional office building between 100,000 and 200,000 gross square feet
- Construction of a multi-level parking structure larger than 250 spaces
- Supervision or self-performance of curtain wall replacement or construction, as well as mechanical, lighting, and security upgrades
- General Contracting on projects between \$15 million and \$25 million.

For purposes of determining “similar scope and complexity to the Cesar E. Chavez Memorial Office Building Modernization project”, the following is a generalized description of a similar project:

“Modernization of a multi-story, multi-tenant professional office building that included high-end finishes, security requirements, mechanical and lighting upgrades, skin replacement or equivalent exterior upgrade, and multi-level parking structure. Square footage range of 150,000 to 350,000 gross square feet. Cost range of \$20,000,000 - \$30,000,000.”

EVALUATION FACTORS – LEAD DESIGNER

Factor 1 – Past Performance on Design

This factor considers the extent of the lead designer’s past experience and the quality of the lead designer’s past performance.

The offeror submits a lead designer’s portfolio of not more than five (5) projects completed in the last ten (10) years (maximum of five (5) pages per project). The narrative shall address the design approach with salient features for each project and discuss how the client’s program, functional, image, mission, economic, schedule, and operational objectives were satisfied by the overall design/planning solution. This section of the submission should include tangible evidence such as certificates, awards, peer recognition, etc. demonstrating design excellence, and provide a client reference contact for each project. Each contractor is responsible for providing questionnaires (provided by the Government) to their references to complete in a timely manner to allow a completed questionnaire to reach this office by the time and date specified for receipt of information identified in the solicitation. A representative floor plan, a

site plan, a building section, or other appropriate drawing, and a minimum of two (2) photographs must be included for each project.

Factor 2 – Philosophy and Design Intent

This factor considers the lead designer's flexibility and attitude toward design.

In the lead designer's words (maximum of two pages), as related to this project, the offeror shall state: the parameters of an overall design philosophy; his/her approach to the challenge of public architecture and related issues; parameters that may apply in modernizing an existing multi-tenant federal office building; commitment and sensitivity to the original architectural design of the building (interior and exterior); and commitment to integrated design, sustainable design, and GSA's Design Excellence and Engineering Excellence programs.

Factor 3 - Lead Designer Profile

This factor considers the lead designer's credentials and the quality of the lead designer's past performance with regards to architecture and interior design.

The offeror submits a biographical sketch of the lead designer (maximum of three (3) pages) including education, professional experience, recognition for design efforts inclusive of the portfolio examples. Identify and describe areas of responsibility and commitment to each project.

Factor 4 - Lead Designer Portfolio

This factor considers the extent of the lead designer's ability to demonstrate innovation and creativity with regards to architecture and interior design.

The offeror submits a portfolio representative of the Lead Designer's ability to provide design excellence. Address his or her participation in each project. If a single designer, submit a portfolio of up to three (3) projects completed in the last ten (10) years (maximum of five (5) pages per project). If the Lead Designer is a team, submit graphics and a description of up to two (2) projects from each Lead Designer or Lead Design discipline. The narrative shall address the design philosophy with salient features for each project and discuss how the client's program, functional, image, mission, economic, schedule, and operations and maintenance objectives were satisfied by the overall design/planning solution. Include tangible evidence such as certificates, awards, peer recognition, etc., demonstrating design excellence. Where there is duplication with Criteria (1) Past Performance on Design, the Lead Designer shall address his or her participation in the project.

EVALUATION FACTORS – DESIGN TEAM

Factor 1 - Past Performance

This factor considers the extent of the proposed design team's past experience and the quality of the past performance.

The offeror shall submit at a minimum two (2) references for each design team member. Each contractor is responsible for providing questionnaires (provided by the Government in this RFQ) to their references to complete in a timely manner to allow a completed questionnaire to reach this office by the time and date specified for receipt of information identified in the solicitation. References should be provided for all key personnel as identified below under "Design Team Personnel". The offeror is responsible to ensure that contact information is current and reliable. The Government will consider information provided by reference as well as other relevant information from other sources when evaluating the Offeror's past experience. If negative information is received from sources not noted in the Offeror's proposal, the Offeror will be given an opportunity to respond.

Factor 2 - Qualifications/Experience of Design Team Personnel

This factor considers the experience and qualifications of the proposed staff and how the offeror organizes and manages the project team.

Each Offeror shall submit an organizational chart and resumes for each key person on the proposed Design Team as defined below:

- 1) Design Team organizational chart
 - 2) Lead Designer
 - 3) Architect
 - 4) Engineers (mechanical, structural, civil, electrical, fire protection)
 - 5) Building Envelope Consultant
 - 6) Security/Blast Consultant
 - 7) LEED Consultant
 - 8) High Performance Green Building Consultant
- a. Resumes must include a description of training and experience in respective areas of expertise.
 - b. Duties of each key individual within the Project Team must be clearly defined.
 - c. Resumes must describe current and proposed position titles, education, professional licensing, and any personal awards.
 - d. Resumes should be no longer than two (2) pages per individual.
 - e. Past experience must be attributable to the person named on the resume. Minimum experience permitted is as follows:

	<u>Years</u>
1. Lead Designer	10
2. Project Manager	10
3. Architect	10

4. Engineers (each)	10
5. Building Envelope Consultant	10
6. Security/Blast Consultant	5
7. LEED Consultant	5
8. High Performance Green Building Consultant	5

Factor 3 - Project Experience on Similar Projects

This factor considers the extent of the Project Team's (Design Team and General Contractor) past experience and the quality of the Project Team's past performance on projects of similar size and complexity. The Offeror shall submit information on at least three (3) projects of similar scope and complexity for the Project Team (Design Team and General Contractor). If the Project Team has not performed together as a team on prior projects, the offeror must provide detailed information on three (3) projects of similar scope and complexity for each Project Team member that best illustrates that team member's skills and capabilities.

Each Offeror shall provide:

- a. A list of three (3) similar projects completed over the last ten (10) years by the Project Team.
- b. Narrative summaries of three (3) similar projects, performed within the past ten (10) years that demonstrates the offeror's capabilities, technical expertise, and experience managing complex projects with reference to considerations of timeliness and technical success. Interior and exterior photos are required for each project submitted. The projects should be as similar to the Cesar E. Chavez Memorial Office Building Modernization project as possible. Limit the summaries to one (1) page each. Limit the project photos to three (3) pages.

Include for each project submitted, title and location, project summary including square feet, contract award amount and final contract amount including all changes, dollar value of work self-performed and the percentage it represents of the final contract amount and project completion date.

Following the evaluation and scoring of the Phase One technical submittals, a short list of offerors will be established, in accordance with FAR Subpart 15.3. A maximum of five (5) firms of the highest rated Offerors will be selected and given the opportunity to submit a response to the evaluation criteria and cost proposals in Phase Two. Final selection for award of the Design/Build Contract will be on the basis of qualifications, technical quality, price, and other salient factors considered to be in the Government's best interests. If awarded the contract, the Offeror shall complete the design and construction documents and construct the facility in compliance with these completed requirements.

PART 2 QUALIFICATIONS SUBMITTAL REQUIREMENTS

2.0 Estimated Award Date

The Government anticipates award of this contract prior to March 2010; with the expectation that the Design/Build Team will commence services within 15 calendar days after issuance of the Notice to Proceed. **The Government does not guarantee award within this period nor shall the Government be liable for any costs should award occur before or after this period.**

2.1 Estimated Completion Date

The project shall be completed based upon a 30 month schedule; subject to the issuance of the Notice-to-Proceed (NTP) award date noted above. (This completion milestone includes all aspects of the design and construction.)

2.2 RFQ/RFP Evaluation Criteria and Basis of Award

A Design/Build Team is being solicited through this Request for Qualifications/Proposal (RFQ/RFP) process. A contract will be awarded to the firm that successfully completes Phases One and Two and is determined to provide the overall best value to the Government, including technical and price considerations. Specific details relating to the Source Selection process are set forth in this RFQ (Phase One) and further to the short-listed firms in the RFP (Phase Two).

2.3 Questions, Clarifications and Interpretations

Any prospective Offeror desiring an explanation or interpretation of the RFQ, etc. must request so in writing and shall direct such inquiries via mail or email to:

Attention: Deborah Godshall
General Services Administration
Denver Federal Center – 8PSC
P.O. Box 25546
Building 41, Rm 240
Lakewood, CO 80225-0546
Deborah.Godshall@gsa.gov

Such requests must be received no later than ten (10) calendar days prior to the submission date, so as to allow a reply to reach all prospective Offerors before the submission of their qualifications. Oral explanation or instructions given before award of a contract will not be binding. Any information given a prospective Offeror concerning a solicitation will be furnished promptly to all other prospective Offerors as an amendment to this solicitation, if

that information is necessary for submitting qualifications, or if the lack of it would be prejudicial to other prospective Offerors.

2.4 Required Technical Data for Qualifications Submittal

Offerors are advised that the required data will be utilized for review and evaluation and used for determination of a "Quality Rating" by a Technical Evaluation Board and that all data submitted for consideration under this RFQ will be reviewed only for the purposes required for evaluation and award. The Government will not make assumptions concerning the Offeror's intent, capabilities, facilities, or experiences. Clear identification is the sole responsibility of the Offeror.

2.5 Qualifications Submittal Preparation

Instructions for the preparation and organization of the Qualification submission are included herein. The documents shall be submitted as summarized below and as further required by this solicitation.

2.5.1 Phase One — Submittal for Technical Evaluation

General Contractor/Design/Builder

Past Performance

Qualifications/Experience of Key Personnel

Project Experience on Similar Projects

Lead Designer

Past Performance on Design

Philosophy and Design Intent

Lead Designer Profile

Lead Designer Portfolio

Design Team

Past Performance

Qualifications/Experience of Key Personnel

Project Experience on Similar Projects

2.5.2 Qualifications Submission Information (Phase One)

To aid in the evaluation of the Offeror's submission, the Qualifications submittal shall be clearly and concisely prepared in writing. Telephone, fax, and emailed offers will not be accepted. The Offeror shall include all information required by this solicitation with pages numbered and logically assembled. Each copy of the Offeror's Qualifications submittal shall identify the name of the Offeror, the date of submission, and the solicitation number.

Offerors are advised that hand carried submittals must be complete and must be received at the place designated in this RFQ before the time and date set for receipt of the Qualifications submittal. Hand carried as well as mailed submissions are subject to the provisions in FAR 52.215-1, Instructions to Offerors-Competitive Acquisition.

This RFQ Phase One does not commit the Government to pay any costs incurred in the submission of the RFQ, nor does it commit the Government to procure or contract for said services. The Contracting Officer is the only individual who can commit the Government to the expenditure of public funds in connection with this proposed procurement.

The content of the Offeror's submissions will remain confidential until an award is made. There will be no public opening of the Qualifications submittals. In accordance with FAR 15.306(e)(4), the names of individuals providing reference information about an Offeror's past performance shall not be disclosed.

2.6 Qualifications Submittal Delivery Date and Location

Phase 1 Qualification submittals must be delivered to the Government location listed below by 2:00 PM MST on November 9, 2009:

Mailed to:

**General Services Administration
Attention: Deborah Godshall
Denver Federal Center, 8PSC
P.O. Box 25546
Lakewood, CO 80225-0546**

Hand Delivered to the Ambassador's Desk, 2nd floor:

**General Services Administration
Attention: Deborah Godshall
Denver Federal Center, 8PSC
Building 41, Rm 240
Lakewood, CO 80225**

Phase One Offerors should note provisions of FAR 52.215-1 "Instructions to Offerors — Competitive Acquisitions".

FOR INFORMATIONAL PURPOSES ONLY:

Offerors are advised that the RFP for Phase Two proposal submissions is anticipated to be released to the short-listed firms on or about November 30, 2009. Phase Two proposals will be allotted five (5) weeks of preparation time during which two (2) Pre-

Bid meetings are scheduled with GSA Project Managers on guided Site Walks. The Government will reserve the right to make an award upon the basis of the initial Phase One and Phase Two offers without discussions.

2.7 Qualifications Submittal Sealing

The Qualifications submittal is to be placed in a single sealed enclosure and identified with the Offeror's Name, Project Name, Phase One, RFQ Submittal, Solicitation Number GS-08P-09-JB-C-0005, and the Government's time and date delivery requirement.

2.8 Phase One Submission

Firms having the capabilities to perform the services described herein are invited to respond by submitting the required technical information as specified herein. Offerors are required to submit **five (5) bound copies** of the Offeror's Phase One Qualifications.

The submittal must be organized, using TABS, as follows:

- Tab 1: Design/Builder - Past Performance
- Tab 2: Design/Builder - Qualifications and Experience of Key Personnel
- Tab 3: Design/Builder - Project Experience on Similar Projects
- Tab 4: Lead Designer - Past Performance on Design
- Tab 5: Lead Designer – Philosophy and Design Intent
- Tab 6: Lead Designer - Lead Designer Profile
- Tab 7: Lead Designer - Lead Designer Portfolio
- Tab 8: Design Team - Past Performance
- Tab 9: Design Team - Qualifications/Experience of Key Personnel
- Tab 10: Design Team - Project Experience on Similar Projects

Any information provided that does not pertain to the technical evaluation factors will not be evaluated.

Font size shall be not less than 10 point.

Sheet size of the submittal shall be 8 1/2 x 11 inches. Tabloid sheets (11 x 17 inches) will be allowed for charts and tables but will be counted as 4 single-sided pages or 2 double-sided pages. Legibility, clarity, coherence, and the contents are important. The Phase One Qualifications document length shall be limited to 150 single-sided or 75 double-sided pages, exclusive of the cover sheet, dividers and table of contents. Questionnaires are received separately and also not counted as part of the 150 page limitation. Offers that do not meet these requirements may be subject to rejection.

A cover sheet identifying the Offeror and the project shall be provided. The second sheet shall be a Table of Contents.

The fully completed SF 330 (Architect-Engineer Qualifications) shall be included in each binder used. Part One and Part Two must be completely filled out.

Materials submitted but not required by this solicitation (such as company brochures and equipment lists) shall be relegated to appendices.

Technical Submissions Requirements:

The Technical submittal shall include information as described previously and shall be presented in the sequence as requested above. Technical submissions shall be organized to correspond with the evaluation factors listed herein.

A project is considered similar when, based on the consensus judgment of the evaluating board members, the project has enough characteristics or similarities in common with the subject project that they could be determined comparable in size, scope and complexity.

For each project, the Offeror shall be evaluated based upon performance as stated in the Past Performance Questionnaire — see Part III of this document. Past performance information will be provided directly from references selected by the contractor. Each contractor is responsible for providing questionnaires (provided by the Government in this RFQ) to their references to complete in a timely manner to allow a completed questionnaire to reach this office by the time and date specified for receipt of information identified in the solicitation.

Offerors are to fill out most of the information on the first page of the questionnaire before sending it to the owner's representative for completion. Failure to obtain the required questionnaires shall result in lowered technical scores for this evaluation factor. Note that GSA will not limit reference contacts to those provided by the Offerors; instead GSA may choose to contact references independent of those provided. It is the Offerors responsibility to contact, request and track the receipt of questionnaires. Offerors **shall not** collect completed questionnaires, instead they shall be sent directly to the Contracting Officer (see Section 2.6 for the address) by the owner representatives. Questionnaires received after the due date for Phase 1 submissions will not be considered.

OFFEROR'S FINANCIAL CAPACITY TO COMPLETE THE PROJECT

Submit a letter of current bonding capacity from a Bonding Company. This letter will not count toward the aforementioned page limitation. **The project budget is in the range of \$15 million to \$25 million.**

Part III
Past Performance Questionnaire

Note: Completed questionnaires shall be considered confidential information and may not be seen or reviewed by the contractor/Offeror. Mail or email completed questionnaires directly to:

**Attention: Deborah Godshall, Contract Specialist
General Services Administration
Denver Federal Center - 8PSC
Building 41, Rm 240
Lakewood, CO 80225**

Deborah.Godshall@gsa.gov

Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

Name: _____

Company: _____

Role/position during construction: _____

Current Telephone No.: _____

(Use this cover sheet for each past performance questionnaire submitted)

USE THIS QUESTIONNAIRE FOR THE DESIGN-BUILDER

CONTRACTOR PERFORMANCE EVALUATION QUESTIONNAIRE
WHEN FILLED IN THIS DOCUMENT IS SOURCE SELECTION SENSITIVE INFORMATION IAW FAR 3.104

U.S. GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
ROCKY MOUNTAIN REGION

OVERVIEW

The Offeror shown below is submitting qualifications for Design/Build services on the Cesar E. Chavez Memorial Office Building Modernization project in Denver, Colorado, and provided your name as a customer reference. Part of our evaluation process requires information on the Offeror's past performance. Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

SECTION 1: Contract Identification

To be completed by the Offeror and provided to the customer referenced

Name of Offeror being evaluated: _____

Project Number/Title: _____

Project Location: _____

Project Description: _____

Project Award Amount: \$ _____

Project Final Dollar Amount: \$ _____

Year Completed: _____ Project Manager: _____

SECTION 2: Respondent Identification

Name of Evaluator: _____

Relation to Contract/Project: _____

Company Name: _____

Phone Number (Commercial/DSN): _____

Email Address: _____

USE THIS QUESTIONNAIRE FOR THE DESIGN-BUILDER

SECTION 3: Rating of Offeror

To be completed by the customer:

Please indicate your satisfaction with the contractor's performance by placing an "X" in the appropriate block using the scale provided to the right of each question. This scale is defined as follows:

Score Performance Level

- 5 EXCELLENT - The contractor's performance meets contractual requirements and exceeds many (requirements) to the Government's or customer's benefit. The contractual performance was accomplished with few minor problems for which corrective actions taken by the contractor were highly effective.
- 4 VERY GOOD- The contractor's performance meets or exceeds contractual requirements to the Government's or customer's benefit. The contractual performance was accomplished with some minor problems for which corrective actions taken by the contractor were effective.
- 3 ACCEPTABLE – The contractor's performance meets contractual requirements. The contractual performance contained some minor problems for which corrective actions taken by the contractor appears, or were, satisfactory.
- 2 MARGINAL – Performance does not meet some contractual requirements. The contractual performance reflects a serious problem for which the contractor has not yet identified corrective actions or the contractor's proposed actions appear only marginally effective or were not fully implemented.
- 1 UNACCEPTABLE – Performance does not meet most contractual requirements and recovery is not likely in a timely manner. The contractual performance contains serious problem(s) for which the contractor's corrective actions appear or were ineffective.
- N NOT APPLICABLE - Unable to provide a score.

5	4	3	2	1	N
---	---	---	---	---	---

Management

Professional conduct						
Cooperation/responsiveness –timely, solicits feedback, suggests alternatives						
Offeror is easy to work with, friendly, courteous						
Oversight of project management/superintendents						
Quickly/professionally resolves issues/disputes						
Review/resolution of subcontractors issues						
Clear line of supervision on construction site, effective						
Followed and maintained project budget						
Implementation of Subcontracting Plan (applicable to large businesses)						

USE THIS QUESTIONNAIRE FOR THE DESIGN-BUILDER

Construction

	5	4	3	2	1	N
Compliance with laws and regulations						
Coordination/control of subcontractors – ensures adherence to work schedule						
Resource Management – maintains good construction pace/work environment						
Site Management (i.e. materials properly staged/stored, job site cleanliness)						
Adequacy & adherence of initial progress schedule/submission of revisions						
Resolution of Delays						
Timely completion of punch-list items						
Adequacy and implementation of Safety Plan						
Use of specified/equal materials						
Identification/correction of deficient work in a timely manner						
Quality of workmanship						
Adequacy of QC Testing – provides all tests as required						

Closeout/Warranty

	5	4	3	2	1	N
Submission of required documentation						
Timeliness of submissions						
Adequacy of As-Builts - maintains accurate red line drawings on site per specs						
Format of closeout documentation						
Warranty response						
Correction of noted deficiencies						

SECTION 4: Narrative Summary

Please indicate in writing any additional comments you have of the Offeror and suggestions you may have concerning the following categories:

Strengths of performance: _____

Weaknesses of performance: _____

Additional Thoughts: _____

USE THIS QUESTIONNAIRE FOR THE DESIGN-BUILDER

SECTION 5: Submission

Thank you for taking the time to fill out this questionnaire. As stated above, when filled in this document is source selection sensitive information IAW FAR 3.104. When completed please mail, hand-deliver, or email directly to:

U.S. General Services Administration

8PSC- Public Building Services

P.O. Box 25546

Denver, Colorado 80225-0546

PHONE: (303) 236-8000, Ext. 2421

ATTN: Deborah Godshall (8PC)

EMAIL: Deborah.Godshall@gsa.gov

Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

Respondent Signature: _____ Date: _____

USE THIS QUESTIONNAIRE FOR THE LEAD DESIGNER

CONTRACTOR PERFORMANCE EVALUATION QUESTIONNAIRE
WHEN FILLED IN THIS DOCUMENT IS SOURCE SELECTION SENSITIVE INFORMATION IAW FAR 3.104

U.S. GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
ROCKY MOUNTAIN REGION

OVERVIEW

The Offeror shown below is submitting qualifications for Design/Build services on the Cesar E. Chavez Memorial Office Building Modernization project in Denver, Colorado, and provided your name as a customer reference. Part of our evaluation process requires information on the Offeror's past performance. Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

SECTION 1: Contract Identification

To be completed by the Offeror and provided to the customer referenced

Name of Offeror being evaluated: _____

Project Number/Title: _____

Project Location: _____

Project Description: _____

Project Award Amount: \$ _____

Project Final Dollar Amount: \$ _____

Year Completed: _____ Project Manager: _____

SECTION 2: Respondent Identification

Name of Evaluator: _____

Relation to Contract/Project: _____

Company Name: _____

Phone Number (Commercial/DSN): _____

Email Address: _____

USE THIS QUESTIONNAIRE FOR THE LEAD DESIGNER

SECTION 3: Rating of Offeror

To be completed by the customer:

Please indicate your satisfaction with the contractor's performance by placing an "X" in the appropriate block using the scale provided to the right of each question. This scale is defined as follows:

Score Performance Level

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- N NOT APPLICABLE - Unable to provide a score.

5	4	3	2	1	N
---	---	---	---	---	---

Management

Professional conduct						
Cooperation/responsiveness –timely, solicits feedback, suggests alternatives						
Offeror is easy to work with, friendly, courteous						
Oversight of project management						
Quickly/professionally resolves issues/disputes						
Followed and maintained project budget						

5	4	3	2	1	N
---	---	---	---	---	---

Design

Design submittals provided on time/schedule						
Adequacy of submittals - re-submittals not excessive, clear/concise data						
Timeliness of response to design comments						
Inclusion of proper, industry accepted, documents						
Plans comply w/applicable codes and are properly designed/stamped/approved						
Quickly identifies design issues for resolution						
Competency of design staff						

USE THIS QUESTIONNAIRE FOR THE LEAD DESIGNER

Closeout

	5	4	3	2	1	N
Submission of required documentation						
Timeliness of submissions						
Adequacy of As-Builts						
Format of closeout documentation						

SECTION 4: Narrative Summary

Please indicate in writing any additional comments you have of the Offeror and suggestions you may have concerning the following categories:

Strengths of performance: _____

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Additional Thoughts: _____

SECTION 5: Submission

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U.S. General Services Administration
Public Buildings Services
P.O. Box 25546

Denver, Colorado 80225-0546

PHONE: (303) 236-8000, Ext. 2421

ATTN: Deborah Godshall(8PC)

EMAIL: Deborah.Godshall@gsa.gov

Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

Respondent Signature: _____ Date: _____

USE THIS QUESTIONNAIRE FOR THE DESIGN TEAM PERSONNEL

CONTRACTOR PERFORMANCE EVALUATION QUESTIONNAIRE

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U.S. GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
ROCKY MOUNTAIN REGION

OVERVIEW

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Project Final Dollar Amount: \$ _____

Year Completed: _____ Project Manager: _____

SECTION 2: Respondent Identification

Name of Evaluator: _____

Relation to Contract/Project: _____

Company Name: _____

Phone Number (Commercial/DSN): _____

Email Address: _____

USE THIS QUESTIONNAIRE FOR THE DESIGN TEAM PERSONNEL

SECTION 3: Rating of Offeror

To be completed by the customer:

Please indicate your satisfaction with the contractor's performance by placing an "X" in the appropriate block using the scale provided to the right of each question. This scale is defined as follows:

Score Performance Level

- 5 EXCELLENT - The contractor's performance meets contractual requirements and exceeds many (requirements) to the Government's or customer's benefit. The contractual performance was accomplished with few minor problems for which corrective actions taken by the contractor were highly effective.
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Management

Professional conduct						
Cooperation/responsiveness –timely, solicits feedback, suggests alternatives						
Offeror is easy to work with, friendly, courteous						
Oversight of project management						
Quickly/professionally resolves issues/disputes						
Followed and maintained project budget						

5	4	3	2	1	N
---	---	---	---	---	---

Design

Design submittals provided on time/schedule						
Adequacy of submittals - re-submittals not excessive, clear/concise data						
Timeliness of response to design comments						
Inclusion of proper, industry accepted, documents						
Plans comply w/applicable codes and are properly designed/stamped/approved						
Quickly identifies design issues for resolution						
Competency of design staff						

USE THIS QUESTIONNAIRE FOR THE DESIGN TEAM PERSONNEL

Closeout

	5	4	3	2	1	N
Submission of required documentation						
Timeliness of submissions						
Adequacy of As-Builts						
Format of closeout documentation						

SECTION 4: Narrative Summary

Please indicate in writing any additional comments you have of the Offeror and suggestions you may have concerning the following categories:

Strengths of performance: _____

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Thank you for taking the time to fill out this questionnaire. As stated above, when filled in this document is source selection sensitive information IAW FAR 3.104. When completed please mail, hand-deliver, or email directly to:

U.S. General Services Administration
8PSC-Public Buildings Services
P.O. Box 25546
Denver, Colorado 80225-0546
ATTN: Deborah Godshall (8PC)

PHONE: (303) 236-8000, Ext. 2421
EMAIL: Deborah.Godshall@gsa.gov

Your participation is important to us and responses are required by November 9, 2009, 2:00 PM (Mountain Time) for inclusion in our evaluation. Your assistance is greatly appreciated.

Respondent Signature: _____ Date: _____

Part IV Projects

For Design/Build Team (DBT), Construction and/or Design

Project Name _____

Project Address _____

Specific Building Function _____
(e.g., corporation HQ, federal office building)

New Construction or Renovation (circle one)

Name of Contractor (DBT) _____

Address of Offeror's office where project was managed _____

Name of Project Manager _____

Name of contractor's on-site Superintendent _____

Acreage of site-work including building Footprint(s) _____

Gross Square Feet _____

Office space including incidental areas _____

Parking Area _____

Parking structure _____

Construction Type (structural frame/floors) of Building _____

Design Excellence Strategies _____

Facade material(s) of Building _____

Other Items of Interest _____

Construction Cost Original Award Amount _____

Construction Cost _____

Critical Dates Construction Start Date _____

Original Scheduled Completion Date _____

Actual Completion Date _____

Construction work performed by Offeror's work force _____

Number of claims against Offeror by owner _____

Total Dollar amount of claims _____

Nature of claims _____

Provide a brief description of Project challenges and/or project-unique issues

How did the development and compromises in this project effect the design quality and performance of the building as it was designed and delivered by the DBT?

Part V

Federal Acquisition Regulation (FAR) Clauses

52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (APR 2008)

(a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation “DUNS” or “DUNS+4” followed by the DUNS number or “DUNS+4” that identifies the offeror’s name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet, Inc. The DUNS+4 is the DUNS number plus a 4-character suffix that may be assigned at the discretion of the offeror to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see Subpart 32.11) for the same concern.

(b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.

(1) An offeror may obtain a DUNS number—

(i) Via the Internet at <http://fedgov.dnb.com/webform> or if the offeror does not have internet access, it may call Dun and Bradstreet at 1-866-705-5711 if located within the United States; or

(ii) If located outside the United States, by contacting the local Dun and Bradstreet office. The offeror should indicate that it is an offeror for a U.S. Government contract when contacting the local Dun and Bradstreet office.

(2) The offeror should be prepared to provide the following information:

- (i) Company legal business name.
- (ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.
- (iii) Company physical street address, city, state and ZIP Code.
- (iv) Company mailing address, city, state and ZIP Code (if separate from physical).
- (v) Company telephone number.
- (vi) Date the company was started.
- (vii) Number of employees at your location.
- (viii) Chief executive officer/key manager.
- (ix) Line of business (industry).
- (x) Company Headquarters name and address (reporting relationship within your entity).

(End of provision)

52.204-7 CENTRAL CONTRACTOR REGISTRATION (APR 2008)

(a) Definitions. As used in this clause—

“Central Contractor Registration (CCR) database” means the primary Government repository for Contractor information required for the conduct of business with the Government.

“Data Universal Numbering System (DUNS) number” means the 9-digit number assigned by Dun and Bradstreet, Inc. (D&B) to identify unique business entities.

“Data Universal Numbering System +4 (DUNS+4) number” means the DUNS number assigned by D&B plus a 4-character suffix that may be assigned by a business concern. (D&B has no affiliation with this 4-character suffix.) This 4-character suffix may be assigned at the discretion of the business concern to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see the FAR at Subpart 32.11) for the same concern.

“Registered in the CCR database” means that—

(1) The Contractor has entered all mandatory information, including the DUNS number or the DUNS+4 number, into the CCR database; and

(2) The Government has validated all mandatory data fields, to include validation of the Taxpayer Identification Number (TIN) with the Internal Revenue Service (IRS), and has marked the record “Active”. The Contractor will be required to provide consent for TIN validation to the Government as a part of the CCR registration process.

(b)(1) By submission of an offer, the offeror acknowledges the requirement that a prospective awardee shall be registered in the CCR database prior to award, during performance, and through final payment of any contract, basic agreement, basic ordering agreement, or blanket purchasing agreement resulting from this solicitation.

(2) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" or "DUNS +4" followed by the DUNS or DUNS +4 number that identifies the offeror's name and address exactly as stated in the offer. The DUNS number will be used by the Contracting Officer to verify that the offeror is registered in the CCR database.

(c) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.

(1) An offeror may obtain a DUNS number—

(i) Via the Internet at <http://fedgov.dnb.com/webform> or if the offeror does not have internet access, it may call Dun and Bradstreet at 1-866-705-5711 if located within the United States; or

(ii) If located outside the United States, by contacting the local Dun and Bradstreet office. The offeror should indicate that it is an offeror for a U.S. Government contract when contacting the local Dun and Bradstreet office.

(2) The offeror should be prepared to provide the following information:

(i) Company legal business.

(ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.

(iii) Company Physical Street Address, City, State, and ZIP Code.

(iv) Company Mailing Address, City, State and ZIP Code (if separate from physical).

(v) Company Telephone Number.

(vi) Date the company was started.

(vii) Number of employees at your location.

(viii) Chief executive officer/key manager.

(ix) Line of business (industry).

(x) Company Headquarters name and address (reporting relationship within your entity).

(d) If the Offeror does not become registered in the CCR database in the time prescribed by the Contracting Officer, the Contracting Officer will proceed to award to the next otherwise successful registered Offeror.

(e) Processing time, which normally takes 48 hours, should be taken into consideration when registering. Offerors who are not registered should consider applying for registration immediately upon receipt of this solicitation.

(f) The Contractor is responsible for the accuracy and completeness of the data within the CCR database, and for any liability resulting from the Government's reliance on inaccurate or incomplete data. To remain registered in the CCR database after the initial registration, the Contractor is required to review and update on an annual basis from the date of initial registration or subsequent updates its information in the CCR database to ensure it is current, accurate and complete. Updating information in the CCR does not alter the terms and conditions of this contract and is not a substitute for a properly executed contractual document.

(g)

(1)

(i) If a Contractor has legally changed its business name, "doing business as" name, or division name (whichever is shown on the contract), or has transferred the assets used in performing the contract, but has not completed the necessary requirements regarding novation and change-of-name agreements in Subpart 42.12, the Contractor shall provide the responsible Contracting Officer a minimum of one business day's written notification of its intention to (A) change the name in the CCR database; (B) comply with the requirements of Subpart 42.12 of the FAR; and (C) agree in writing to the timeline and procedures specified by the responsible Contracting Officer. The Contractor must provide with the notification sufficient documentation to support the legally changed name.

(ii) If the Contractor fails to comply with the requirements of paragraph (g)(1)(i) of this clause, or fails to perform the agreement at paragraph (g)(1)(i)(C) of this clause, and, in the absence of a properly executed novation or change-of-name agreement, the CCR information that shows the Contractor to be other than the Contractor indicated in the contract will be considered to be incorrect information within the meaning of the "Suspension of Payment" paragraph of the electronic funds transfer (EFT) clause of this contract.

(2) The Contractor shall not change the name or address for EFT payments or manual payments, as appropriate, in the CCR record to reflect an assignee for the purpose of assignment of claims (see FAR Subpart 32.8, Assignment of Claims). Assignees shall be separately registered in the CCR database. Information provided to the Contractor's CCR record that indicates payments, including those made by EFT, to an ultimate recipient other than that Contractor will be considered to be incorrect information within the meaning of the "Suspension of payment" paragraph of the EFT clause of this contract.

(h) Offerors and Contractors may obtain information on registration and annual confirmation requirements via the internet at <http://www.ccr.gov> or by calling 1-888-227-2423, or 269-961-5757.

(End of clause)

52.214-4 FALSE STATEMENTS IN BIDS (APR 1984)

Bidders must provide full, accurate, and complete information as required by this solicitation and its attachments. The penalty for making false statements in bids is prescribed in 18 U.S.C. 1001.

(End of provision)

52.214-6 EXPLANATION TO PROSPECTIVE BIDDERS (APR 1984)

Any prospective bidder desiring an explanation or interpretation of the solicitation, drawings, specifications, etc., must request it in writing soon enough to allow a reply to reach all prospective bidders before the submission of their bids. Oral explanations or instructions given before the award of a contract will not be binding. Any information given a prospective bidder concerning a solicitation will be furnished promptly to all other prospective bidders as an amendment to the solicitation, if that information is necessary in submitting bids or if the lack of it would be prejudicial to other prospective bidders.

(End of provision)

52.214-23 LATE SUBMISSIONS, MODIFICATIONS, REVISIONS, AND WITHDRAWALS OF TECHNICAL PROPOSALS UNDER TWO-STEP SEALED BIDDING (NOV 1999)

(a) Bidders are responsible for submitting technical proposals, and any modifications or revisions, so as to reach the Government office designated in the request for technical proposals by the time specified in the invitation for bids (IFB). If no time is specified in the IFB, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that bids or revisions are due.

(b)(1) Any technical proposal under step one of two-step sealed bidding, modification, revision, or withdrawal of such proposal received at the Government office designated in the request for technical proposals after the exact time specified for receipt will not be considered unless the Contracting Officer determines that accepting the late technical proposal would not unduly delay the acquisition; and—

(i) If it was transmitted through an electronic commerce method authorized by the request for technical proposals, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(ii) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt; or

(iii) It is the only proposal received and it is negotiated under Part 15 of the Federal Acquisition Regulation.

(2) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government will be considered at any time it is received and may be accepted.

(c) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the technical proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(d) If an emergency or unanticipated event interrupts normal Government processes so that technical proposals cannot be received at the Government office designated for receipt of technical proposals by the exact time specified in the request for technical proposals, and urgent Government requirements preclude amendment of the request for technical proposals, the time specified for receipt of technical proposals will be deemed to be extended to the same time of day specified in the request for technical proposals on the first work day on which normal Government processes resume.

(e) Technical proposals may be withdrawn by written notice received at any time before the exact time set for receipt of technical proposals. If the request for technical proposals authorizes facsimile technical proposals, they may be withdrawn via facsimile received at any time before the exact time set for receipt of proposals, subject to the conditions specified in the provision at 52.214-31, Facsimile Bids. A technical proposal may be withdrawn in person by a bidder or its authorized representative if, before the exact time set for receipt of technical proposals, the identity of the person requesting withdrawal is established and the person signs a receipt for the technical proposal.

(End of provision)

52.215-1 INSTRUCTIONS TO OFFERORS—COMPETITIVE ACQUISITION (JAN 2004)

(a) *Definitions.* As used in this provision—

“Discussions” are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer’s discretion, result in the offeror being allowed to revise its proposal.

“In writing,” “writing,” or “written” means any worded or numbered expression that can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

“Proposal modification” is a change made to a proposal before the solicitation’s closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

“Proposal revision” is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

“Time,” if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) *Amendments to solicitations.* If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals.

(1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show—

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror’s behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent’s authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, revision, and withdrawal of proposals.

(i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is “late” and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and—

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government’s control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) *Offer expiration date.* Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) *Restriction on disclosure and use of data.* Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall—

(1) Mark the title page with the following legend:

This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [*insert numbers or other identification of sheets*]; and

(2) Mark each sheet of data it wishes to restrict with the following legend:

Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

(f) Contract award.

(1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) If a post-award debriefing is given to requesting offerors, the Government shall disclose the following information, if applicable:

(i) The agency's evaluation of the significant weak or deficient factors in the debriefed offeror's offer.

(ii) The overall evaluated cost or price and technical rating of the successful and the debriefed offeror and past performance information on the debriefed offeror.

(iii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection.

(iv) A summary of the rationale for award.

(v) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(vi) Reasonable responses to relevant questions posed by the debriefed offeror as to whether source-selection procedures set forth in the solicitation, applicable regulations, and other applicable authorities were followed by the agency.

(End of provision)

52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a firm-fixed price contract resulting from this solicitation.

(End of provision)

52.233-2 SERVICE OF PROTEST (SEPT 2006)

(a) Protests, as defined in section 31.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the Government Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

**General Services Administration
Attention: Deborah Godshall
Denver Federal Center - 8PSC
Building 41, Rm 240
Lakewood, CO 80225**

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)